

Recommendation Report for Planning Permission for Works or Extension to a Dwelling

REF NO: FG/171/14/HH

LOCATION: 13 Beehive Lane
Ferring

PROPOSAL: Single storey rear & two storey side extensions

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	Approximately 650 square metres.
RESIDENTIAL DEVELOPMENT DENSITY (NET)	N/A
TOPOGRAPHY	Predominantly flat
TREES	None of any significance affected by the proposed development.
BOUNDARY TREATMENT	Hedging to front and front sides. Close boarded fencing at approximately 2m along side boundaries and at the rear.
SITE CHARACTERISTICS	The site comprises a two storey detached property with smooth rendered elevations painted white and a hipped roof with plain brown roof tiles. There is a side (east) roof dormer and an attached garage to side (east) with a hipped tiled roof. To the front, metal and glass lean-to and a single storey flat roof extension at the rear.
CHARACTER OF LOCALITY	Predominantly residential in character, there are mainly two storey detached properties in the area which are of varied styles and designs.

RELEVANT SITE HISTORY

FG/67/88	Conservatory to front of property 8ft x 10ft	ApproveConditionally 03-05-1988
FG/5/62	Porch	Approve 24-01-1962

None

REPRESENTATIONS

Representations received:

Awaited.

Comments on Representations received:

None

CONSULTATIONS

Consultations responses received:

None

Comments on Consultation responses:

None

POLICY CONTEXT

Designation applicable to site:
Within the Built-Up Area Boundary

DEVELOPMENT PLAN POLICIES

Arun District Local Plan 2003: [GEN2](#)
[GEN7](#)
[DEV19](#)

[Publication Version of the Local Plan \(October 2014\):](#)

Built-up Area Boundary
The Form of New Development
Extensions to existing residential buildings
D DM1 Aspects of Form and Design
Quality
D DM4 Extensions and Alterations to
Existing Buildings (residential and non-
residential)

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

POLICY COMMENTARY

The Development Plan consists of the Arun District Local Plan 2003, West Sussex County Council's Waste and Minerals Plans and Made Neighbourhood Development Plans.

Arun District Council's Development Plans:

Paragraph 215 of the NPPF ensures that specific policies in Arun District Local Plan 2003 can carry weight. The weight afforded to the policies with Local Plan policies can be assessed according to their level of consistency of the various policies with the National Planning Policy Framework.

Paragraph 216 of the NPPF confirms that weight can be given to policies in emerging plans from the day of publication. The Council resolved that the policies and maps in the Publication Version of the Local Plan be used in the determination of this planning application. Following 'publication' of the Local Plan a formal public consultation, examination and adoption process takes place.

The policies are published under Regulations 19 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The statement of representations procedure and statement of fact produced by the Council under regulation 19 explains that the consultation will take place on 30th October 2014 for six weeks.

The Neighbourhood Development Plan

Where applicable, Neighbourhood Development Plan's (more commonly known as a neighbourhood plan or NDP), once made by Arun District Council, will form part of the statutory local development plan for the relevant designated neighbourhood area and policies within them will be considered in determining planning applications. Made NDP policies will be considered alongside other development plan documents including Arun District Council's Local Plan. Whilst an NDP is under preparation it will afford little weight in the determination of planning applications. Its status will however gain more weight as a material consideration the closer it is towards it being made. Arun District Council will make reference to an NDP when it has, by the close of planning application consultation, been publicised for pre-submission consultation(Reg.14).

Made Plans in Arun District Council's Local Planning Authority Area are: Arundel; Barnham & Eastergate; Bersted; Felpham; Littlehampton; Yapton.

The Ferring Neighbourhood Plan has been made but there are no policies of any relevance concerning this proposal.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

The proposal is considered to comply with relevant Development Plan policies in that it would have no materially adverse effect on the visual amenities of the locality or the residential amenities of the adjoining properties, nor would it have an adverse impact upon the established character of the surrounding area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

PRINCIPLE

The site is located within the built-up area where the principle of development is acceptable, subject to accordance with relevant planning policies. In this instance, the main criteria against which the application will be assessed is contained within the Arun District Local Plan which in this case are mainly policies GEN7 and DEV19 which seeks to prevent development that would have an adverse impact upon visual and residential amenities.

DESIGN AND VISUAL AMENITY

This application seeks planning permission for a two storey side extension and single storey rear extension along the eastern side of the property. A front porch with a pitched tiled roof is also included as a part of the proposal. The two storey side extension will provide a garage at ground floor level with 2no. bedrooms above and the rear extension will provide additional space for a

study.

The two storey side extension will extend to the east where there is currently a side dormer and attached garage with a hipped roof. Both the side dormer and garage will be subsumed through the two storey side extension and in this way, a substantial part of the proposal is already in situ and has been established for development. The two storey extension will maintain the line set by the existing garage whilst its roof has been set down below ridge level and is less than the existing width of the dwelling in order to maintain visual subservience. It is also considered to be sympathetically designed with a comparatively small front dormer which does not visually dominate the front elevation and in its use of matching materials.

It is considered that due to the residential character of the estate and the fairly wide variety of design styles of properties seen in the road means that the proposal can be accommodated without appearing out of character or unduly prominent in the street scene.

The rear extension will not be readily seen due to its rear location and is acceptable in its dimensions and design. The front porch replaces an existing metal and glass structure and with its pitched tiled roof is considered to form a design improvement for the property.

It is considered that the proposal is acceptable in visual amenity terms and complies with policies GEN7(ii) and DEV19(i),(ii) of the Arun District Local Plan.

RESIDENTIAL AMENITY

The main consideration with this proposal is the potential impact that the two storey side extension has on the neighbouring property of no. 15 to the east. The two storey extension will come no closer to the eastern boundary than the existing garage. With this garage having a steeply pitched roof and a considerable height above 4m and within 1m of the eastern boundary, a sizeable development form has already been established in this portion of the site. Although the proposed two storey extension is considerably higher than the existing garage by approximately 3m, this height increase is considered to be offset by no. 15 having their own garage and porch extension which is closer to the boundary than the main part of the property which is comfortably stepped away by approximately 5m.

These factors positively combine to ensure that the proposed side extension will not cause any harmful overlooking or overshadowing effects. There are no side facing windows in the proposed side extension at first floor level and above and so it is considered that there will not be any unacceptable overlooking or loss of privacy either. However, a condition restricting any windows or other openings from being formed in the side (east) elevation of the two storey side extension at first floor level and above is recommended to safeguard any harmful overlooking from arising in the future, without an application first being submitted. Any views that may arise from the first floor bedrooms to the rear of the two storey extension will only provide indirect views into neighbouring side gardens and will be set at sufficient distances away so as to not cause any harmful overlooking.

The rear extension is single storey in height and the majority of the structure will be hidden by the rear boundary treatment which comprises of close boarded fencing at approximately 1.8m in height.

The proposal is considered to be acceptable in residential amenity terms and so accords with

policies GEN7(iv) and DEV19(iii) of the Arun District Local Plan.

It is therefore recommended that the application is approved, subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal, a neutral impact has been identified upon those people with the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby approved shall be carried out in accordance with the following approved plans: drawing 3 (Location and block plan) dated 10-11-2014, drawing 1 (Existing floor plans and elevations) dated 27-06-2014 and drawing 2 (Proposed floor plans and elevations) dated 10-11-2014.

Reason: For the avoidance of doubt and in the interests of amenity and the environment in accordance with policy GEN7 of the Arun District Local Plan.

- 3 The materials and finishes of the external walls and roof of the extensions and front porch hereby permitted shall match in colour and texture to those used in the dwelling.

Reason: In the interests of amenity in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the side (east) elevation of the two storey side extension at first floor level and above without the prior permission of the Local Planning Authority on an application in that behalf.

Reason: To protect the amenities of adjoining residential properties in accordance with policies GEN7 and DEV19 of the Arun District Local Plan.

- 5 INFORMATIVE: Statement pursuant to Article 31 of the Town and Country Planning (Development Management Procedure)(England) (Amendment No. 2) Order 2012. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.